

Message

From: Socha, Julianne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DF7727D01C9A40DC882CA9C747E74AED-JSOCHA]
Sent: 5/7/2013 1:14:08 PM
To: Elder, Kevin [Elder@agri.ohio.gov]
CC: Morgan, James [Morgan.James@epa.gov]; Berman, Michael [berman.michael@epa.gov]
Subject: Ohio criminal enforcement authority for NPDES program

Hello Kevin,

As mentioned in EPA's April 26 correspondence to you, EPA and the State of Ohio reached agreement on statutory changes that would address concerns raised by EPA regarding Ohio's criminal intent standard for NPDES program enforcement. As you know, the language reviewed and found acceptable by EPA was introduced to the state legislature in February 2013 as HB 59.

EPA has become aware that HB 59, as passed by the House on April 18 2013, included edits to the criminal intent standard language that was previously found acceptable to EPA.

EPA is still reviewing the language as passed by the House, however, after our initial review, we are concerned about some of the edits. Upon completion of our review, we will let you know if the edits cause the language to no longer meet EPA requirements regarding NPDES program enforcement.

Please feel free to contact me should you have any questions.

Julianne Socha
NPDES Programs Branch
Water Division, US EPA, Region 5
312-886-4436
socha.julianne@epa.gov